

### **REMARKS**

Claims 1-15, 20-23, 29-32, 34, 37, 39-43, 45, 49-51, 61, and 65-67 are now pending in the application. Claims 1, 5, 12, 20, 29, 32, 39, 40, 45, and 61 are currently amended. By this amendment, claims 24-28, 33, 35-36, 38, 44, 46-48, 60, and 62-64 are cancelled. No new claims are added. Support for the foregoing amendment can be found throughout the specification, drawings, and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 1-15 and 20-23 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Claims 1, 12, and 20 have been amended to address this rejection. Support for the amendments are found, for example, in FIG. 7 and page 53, line 2, to page 56, line 7, of the specification. Claim 5 has also been amended so as to conform to amended Claim 1. Applicant now believes that all pending claims particularly point out and distinctly claim the subject matter of the present invention. Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

#### **REJECTION UNDER 35 U.S.C. § 102**

Claims 24-28, 32-33, 35-36, 38-40, 44, 46-48, 60, and 62-64 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kimura et al. ("Very Quick Audio-Searching: Introducing Global Pruning to the Time-Series Active Search," Proc. of International Conference on Acoustics, Speech and Signal Processing) (ICASSP2001), Vol. 3, pp. 1429-1432, Salt Lake City, Utah, USA, May 2001 ("Kimura").

Rejected claims 24-28, 33, 35-36, 38, 44, 46-48, 60, and 62-64 have been cancelled, thereby rendering this rejection moot. In addition, rejected claims 32, 39, and 40 have been amended so as to be dependent on allowable claim 29 and therefore should now be in condition for allowance. Reconsideration and withdrawal of this rejection is respectfully requested.

#### **ALLOWABLE SUBJECT MATTER**

The Examiner states that claims 29-31, 34, 37, 45 and 61 would be allowable if rewritten in independent form. Accordingly, Applicant has amended claims 29, 45, and 61, which are directly dependent on independent claims 24, 44, and 60, respectively, to include the limitations of the base claim and any intervening claims. Allowable claims 30-31, 34, and 37, which are dependent on allowable claim 29, remain unchanged. Therefore, claims 29-31, 34, 37, 45 and 61 should now be in condition for allowance.

Claims 41-43, 49-51, and 65-67 are allowed. These claims remain unchanged.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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